

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

LOCAL 67, OPERATIVE PLASTERERS
AND CEMENT MASONS'
INTERNATIONAL ASSOCIATION, AFL-
CIO,

Plaintiff,

Civil Case Number: 04-73022

v.

GEM MANAGEMENT COMPANY, INC..

DIST. JUDGE PAUL D. BORMAN
MAG. JUDGE STEVEN PEPE

Defendant.

_____ /

GEM MANAGEMENT COMPANY, INC..

Third-Party Plaintiff,

v.

BRICKLAYERS & ALLIED
CRAFTWORKERS LOCAL 9, AFL-CIO,

Third-Party Defendant.

_____ /

**ORDER ACCEPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION IN FAVOR OF GRANTING THIRD-PARTY DEFENDANT
LOCAL 9'S MOTION TO DISMISS**

Before the Court is the Magistrate Judge Pepe's January 9, 2006 Report and Recommendation (Docket No. 74) in favor of granting the Third-Party Defendant Local 9's Motion to Dismiss. Having reviewed that Report and Recommendation, Third-Party Plaintiff's objections thereto, Third-Party Defendant's response to those objections, and Third-Party

Plaintiff's reply, the Court enters as its findings and conclusions the Report and Recommendation GRANTING Third-Party Defendant's Motion to Dismiss.

SO ORDERED.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: March 8, 2006

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on March 8, 2006.

s/Jonie Parker
Case Manager